

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION

FILED IN OPEN COURT
U.S.D.C. - Atlanta

JAN 11 2022

KEVIN R. WEIMER, Clerk
By:  Deputy Clerk

UNITED STATES OF AMERICA

v.

TIMOTHY CRAIG MITCHELL

Criminal Indictment

No. **8:22CR0003**

THE GRAND JURY CHARGES THAT:

On or about August 14, 2019, in the Northern District of Georgia, the defendant, TIMOTHY CRAIG MITCHELL, knowing that he had been previously convicted of at least one of the following offenses:

- Theft by Taking, in the Superior Court of Coweta County, Georgia, in or about 2003;
- Theft by Taking, in the Superior Court of Coweta County, Georgia, in or about 2004;
- Operating a Motor Vehicle Chop Shop, in the Superior Court of Coweta County, Georgia, in or about 2004;
- Theft by Taking, in the Superior Court of Carroll County, Georgia, in or about 2004;
- Possession of Methamphetamine with Intent to Distribute, in the Superior Court of Union County, Georgia, in or about 2007;
- Theft by Receiving Stolen Property, in the Superior Court of Fannin County, Georgia, in or about 2013;

- Operating a Motor Vehicle Chop Shop, in the Superior Court of Coweta County, Georgia, in or about 2014;
- Interference with Government Property, in the Superior Court of Coweta County, Georgia, in or about 2014; and
- Fleeing or Attempting to Elude an Officer, in the Superior Court of Coweta County, Georgia, in or about 2014,

each of which was a crime punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm, that is, a Cobra, model FS380, .380 caliber pistol, said possession being in and affecting interstate and foreign commerce, all in violation of Title 18, United States Code, Section 922(g)(1).

Forfeiture Provision

Upon conviction of the offense alleged in this Indictment, the defendant, TIMOTHY CRAIG MITCHELL, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461, all firearms and ammunition involved in and used in the commission of the offense.

If, as a result of any act or omission of the defendant, any property subject to forfeiture:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without undue complexity or difficulty;
the United States intends, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

A True BILL
J. Pierce
FOREPERSON

KURT R. ERSKINE

United States Attorney


RYAN K. BUCHANAN

Assistant United States Attorney

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